IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

WP(C).No. 37393 of 2003(B)

PETITIONER:

S.D.PHARMACY PRIVATE LIMITED,
KALAVOOR, ALAPPUZHA, REPRESENTED BY ITS
MANAGING DIRECTOR, K.RAMESH.

BY ADV. SRI.K.P.DANDAPANI (SR.)

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, EXCISE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE EXCISE COMMISSIONER,
COMMISSIONERATE OF EXCISE,
THIRUVANANTHAPURAM.

3. THE ASSISTANT EXCISE COMMISSIONER,
EXCISE DIVISION OFFICE, ALAPPUZHA.

BY ADV. SRI. K.R. DEEPA, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF ORDER DATED 12.07.2000 IN CMP NO. 32750/2000 IN OP NO. 19614/2000 OF THIS HONOURABLE COURT.

EXT.P2: PHOTOCOPY OF THE COVERING LETTER DATED 22.03.2002 OF THE PETITIONER ADDRESSED TO THE ASSISTANT EXCISE COMMISSIONER, ALAPPUZHA ALONG WITH APPLICATION FORM REFERRED TO IN THE WRIT PETITION.

EXT.P3: TRUE COPY OF COMMUNICATION NO. XC5-18665/02 DATED 31.01.2003 FROM THE EXCISE COMMISSIONER, THIRUVANANTHAPURAM TO THE PETITIONER.

EXT.P4: TRUE COPY OF THE JUDGMENT DATED 19.02.2003 IN O.P. NO. 5637/2003 OF THIS HON'BLE COURT.

EXT.P5: TRUE COPY OF ORDER NO. XC5-18665/02 DATED 23.04.2003 OF THE COMMISSIONER OF EXCISE, THIRUVANANTHAPURAM.

EXT.P6: TRUE COPY OF L2 LICENCE NO. 8/03-04 DATED 30.05.2003 ISSUED TO THE PETITIONER BY THE ASSISTANT EXCISE COMMISSIONER, ALAPPUZHA.

EXT.P7: TRUE COPY OF REPRESENATION DATED 16.09.2003 FROM THE PETITIONER TO THE EXCISE COMMISSIONER, THIRUVANANTHAPURAM.

EXT.P7(a): TRUE COPY OF ACKNOWLEDGMENT CARD OF EXT.P7.

EXT.P8: TRUE COPY OF THE REPRESENATION DATED 10.11.2003 FROM THE PETITIONER TO THE EXCISE COMMISSIONER, THIRUVANANTHAPURAM.

EXT.P8(a): TRUE COPY OF ACKNOWLEDGMENT CARD OF EXT.P7.

EXT. P9: TRUE COPY OF NOTICE NO.A2-1458/02 DATED 20.1.1.2003 FROM THE ASSISTANT EXCISE COMMISSIONER, ALAPPUZHA TO THE PETITIONER.

EXT.P10: A TRUE COPY OF THE ORDER NO. XC5-18665/2002 DT. 06.12.2003.

EXT.P11: TRUE COPY OF COVERING LETTER DATED 13.02.2004 ANNEXED WITH LICENCE FOR RENEWAL FOR THE YEAR 2004-2005.

EXT.P12: A TRUE COPY OF THE REMINDER DATED 19.02.2004 SUBMITTED BY THE PETITIONER BEFOR ETHE 2ND RESPONDENT.

EXT.P13: A TRUE COPY OF THE REMINDER DATED 19.03.2004 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

KURIAN JOSEPH , J

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W.P.(C) NO. 37393 OF 2003

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Dated this the 29th day of June, 2007.

JUDGMENT

In the matter of renewal of licence, L2 licence for the manufacture of medicine, in the interim order dated 31.03.2004 in I.A. No. 4559/2004, this court took note of the fact that the licence was not being renewed only for the reason of pendency of O.P. No. 19614/2000 and that in Ext.P4 judgment in O.P.No. 5637/2003 this Court made it clear that the pendency of the writ petition was not a ground for renewal of the licence. Therefore, no further orders are necessary in this writ petition and the writ petition is closed.

KURIAN JOSEPH, JUDGE.

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